



February 15, 2008

ENGROSSED HOUSE BILL No. 1067

DIGEST OF HB 1067 (Updated February 12, 2008 11:14 am - DI 71)

Citations Affected: IC 10-18.

Synopsis: United States flag protocol for Indiana soldiers. Requires the governor to issue a proclamation, not more than 24 hours after receiving notice that an Indiana resident who is a member of the armed forces of the United States or the Indiana National Guard has died in action or as a result of wounds received in action, ordering that the United States flag be flown at half-staff on state property on the day of the member's funeral or memorial service.

Effective: July 1, 2008.

Herrell, Soliday, Tincher

(SENATE SPONSORS — WEATHERWAX, BRODEN)

January 8, 2008, read first time and referred to Committee on Veterans Affairs and Public Safety.

January 22, 2008, reported — Do Pass.

January 24, 2008, read second time, ordered engrossed.

January 25, 2008, engrossed.

January 28, 2008, read third time, passed. Yeas 88, nays 0.

SENATE ACTION

January 29, 2008, read first time and referred to Committee on Homeland Security, Transportation and Veterans Affairs.

February 14, 2008, reported favorably — Do Pass.

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EH 1067—LS 6198/DI 103+



February 15, 2008

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1067

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 10-18-9 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2008]:

4 **Chapter 9. Display of United States Flag Upon Death of Certain**
5 **Military Personnel**

6 **Sec. 1. As used in this chapter, "armed forces of the United**
7 **States" means:**

- 8 (1) the Army;
9 (2) the Navy;
10 (3) the Air Force;
11 (4) the Coast Guard; and
12 (5) the Marine Corps.

13 **Sec. 2. As used in this chapter, "died of wounds received in**
14 **action" means a member, other than a member who is the victim**
15 **of a terrorist activity, who after reaching a medical treatment**
16 **facility dies of wounds or other injuries received in action.**

17 **Sec. 3. As used in this chapter, "half-staff" means the position**

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of a flag when the flag is one-half (1/2) the distance between the top and bottom of the staff.

Sec. 4. As used in this chapter, "killed in action" means a member, other than a member who is the victim of a terrorist activity, who:

- (1) is killed outright in action; or
- (2) before reaching a medical treatment facility dies as a result of wounds or other injuries received in action.

Sec. 5. As used in this chapter, "member" refers to a member of:

- (1) the armed forces of the United States; or
- (2) the National Guard;

who is a resident of Indiana.

Sec. 6. As used in this chapter, "National Guard" means:

- (1) the Indiana Army National Guard; or
- (2) the Indiana Air National Guard.

Sec. 7. As used in this chapter, "United States flag" refers to a United States flag flown on property owned or controlled by the state.

Sec. 8. Not more than twenty-four (24) hours after receiving notice and confirming through the United States Department of Defense that a member has:

- (1) been killed in action; or
- (2) died of wounds received in action;

the governor shall issue a proclamation ordering the United States flag to be flown at half-staff on the day of the member's funeral or memorial service.

Sec. 9. This chapter does not prohibit or otherwise limit the flying of other flags at half-staff under a separate gubernatorial proclamation.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1067, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

TINCHER, Chair

Committee Vote: yeas 8, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred House Bill No. 1067, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1067 as printed January 22, 2008.)

WYSS, Chairperson

Committee Vote: Yeas 6, Nays 0.

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